

**SEC. — 20. BRIBERY AFFECTING PORT SECURITY.**

(a) IN GENERAL.—Chapter 11 of title 18, United States Code, is amended by adding at the end the following:

**“§ 226. Bribery affecting port security**

“(a) IN GENERAL.—Whoever knowingly—

“(1) directly or indirectly, corruptly gives, offers, or promises anything of value to any public or private person, with intent—

“(A) to commit international or domestic terrorism (as that term is defined under section 2331);

“(B) to influence any action or any person to commit or aid in committing, or collude in, or allow, any fraud, or make opportunity for the commission of any fraud affecting any secure or restricted area or seaport; or

“(C) to induce any official or person to do or omit to do any act in violation of the fiduciary duty of such official or person which affects any secure or restricted area or seaport; or

“(2) directly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity in return for—

“(A) being influenced in the performance of any official act affecting any secure or restricted area or seaport; and

“(B) knowing that such influence will be used to commit, or plan to commit, international or domestic terrorism; shall be fined under this title, imprisoned not more than 15 years, or both.

“(b) DEFINITION.—In this section, the term ‘secure or restricted area’ has the meaning given that term in section 2285(c).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 11 of title 18, United States Code, is amended by adding at the end the following:

“226. Bribery affecting port security.”.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS**

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 29, 2004, at 10 a.m., to conduct a hearing on “The 9/11 Commission and Efforts to Identify and Combat Terrorist Financing.”

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON FOREIGN RELATIONS**

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, September 29, 2004, at 3 p.m., to hold a hearing on Nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON INDIAN AFFAIRS**

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, September 29, 2004, at 9:30 a.m. in room 216 of the Hart Senate Office Building to conduct a business meeting on pending Committee matters, to be followed immediately by an oversight hearing on Lobbying Practices Involving Indian

Tribes regarding allegations of misconduct associated with lobbying and related activities.

The PRESIDING OFFICER. Without objection, it is so ordered.

**SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS**

Ms. COLLINS. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, September 29 at 2:30 p.m.

The purpose of the hearing is to receive testimony on the following bills: S. 2378, to provide for the conveyance of certain public land in Clark County, NV, for use as a heliport; S. 2410, to promote wildland firefighter safety; H.R. 1651, to provide for the exchange of land within the Sierra National Forest, California, and for other purposes; H.R. 2400, to amend the Organic Act of Guam for the purposes of clarifying the local judicial structure of Guam; H.R. 3874, to convey for public purposes certain Federal lands in Riverside County, CA, that have been identified for disposal; H.R. 4170, to authorize the Secretary of the Interior to recruit volunteers to assist with, or facilitate, the activities of various agencies and offices of the Department of the Interior; and Senate Resolution 387, a resolution commemorating the 40th anniversary of the Wilderness Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

**SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE**

Ms. COLLINS. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology, and Space be authorized to meet on September 29, 2004, at 2 pm, on Embryonic Stem Cell Research: Exploring the Controversy.

The PRESIDING OFFICER. Without objection, it is so ordered.

**PRIVILEGES OF THE FLOOR**

Ms. COLLINS. Mr. President, I ask unanimous consent that Claude Berube, a legislative fellow in my office, be granted the privileges of the floor during the debate on S. 2845, the intelligence reform bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEWINE. Mr. President, I ask unanimous consent that Jack Livingston, a fellow on the Intelligence Committee staff, be granted floor privileges during the pendency of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that privilege of the floor be granted to Sarah Helgen during consideration of this legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUE. Mr. President, I ask unanimous consent that privilege of

the floor be granted to Kate Kaufer, a detailee with the Defense Appropriations Subcommittee, during consideration of this legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I ask unanimous consent that John Shuhart, a detailee of the Governmental Affairs Committee, be accorded the privilege of the floor for the duration of the debate on S. 2845.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, on behalf of Senator DOLE, I ask unanimous consent that John Ulrich, a military fellow in her office, be granted floor privileges during the consideration of the intelligence reform bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

**UNANIMOUS-CONSENT AGREEMENT**

Mr. SESSIONS. Mr. President, I ask unanimous consent that all first-degree amendments from the limited list to the pending legislation be filed at the desk no later than 4 p.m., Thursday, September 30; provided further that it be in order for the sponsor of any amendment to modify the filed amendment with consent of their respective leader.

The PRESIDING OFFICER. Is there objection?

The Democratic whip.

Mr. REID. I want to make sure the record reflects that a large number of Senators on both sides of the aisle filed relevant amendments. We want to make sure those amendments are allowed to be offered in keeping with the order that was previously entered in this matter that states all amendments be related to the subject matter of the bill. So “related” should do the trick.

Mr. SESSIONS. Mr. President, insofar as that is the agreement, and I understand it is, the Senator is correct.

Mr. REID. If the Senator will yield for just a brief comment, if Senators have already filed their amendments, do not do it again. All it does is confuse the staff. If Senators have filed the amendments, do not file them again. If there is some question, come and talk to the staff before sending over more amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

**SENATE LEGAL COUNSEL AUTHORIZATION**

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 443, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.



The legislative clerk read as follows:

A resolution (S. Res. 443) to authorize testimony, document production, and legal representation in United States versus Roberto Martin.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, this resolution concerns a request for testimony, documents, and representation in a criminal action pending in Florida Federal District Court. In this action, the defendant is charged with impersonating an agent of the Central Intelligence Agency, conspiracy to impersonate a CIA agent, possession of a firearm after a felony conviction, and mail fraud. The indictment alleges that the defendant unjustly enriched himself by obtaining money from third parties upon the false representation that he was working with the CIA on a secret operation to obtain funds allegedly stolen from Cuban leader Fidel Castro. According to the prosecution, in furtherance of the alleged fraud, the defendant or his co-conspirators provided to third parties a fictitious letter purportedly signed by Senator GRAHAM.

The defendant's trial is scheduled to commence on or about November 1, 2004. The prosecution has requested testimony and the production of documents from a member of the Senator's staff who has evidence relevant to the charged offenses. Senator GRAHAM wishes to cooperate with the prosecution's request. Accordingly, the enclosed resolution authorizes that staff member, and any other employees of Senator GRAHAM's office from whom evidence may be required, to testify and produce documents in this action. The enclosed resolution also authorizes representation by the Senate legal counsel of Senator GRAHAM's staff in this action.

Mr. SESSIONS. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 443) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 443

Whereas, in the case of United States v. Roberto Martin, Crim. No. 04-CR-20075, pending in federal district court in the Southern District of Florida, testimony and documents have been requested from an employee in the office of Senator Bob Graham;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative proc-

ess, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That employees of Senator Graham's office from whom testimony or the production of documents may be required are authorized to testify and produce documents in the case of United States v. Roberto Martin, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Senator Graham's staff in the action referenced in section one of this resolution.

#### MEASURES PLACED ON THE CALENDAR—S. 2852, H.R. 1084, AND H.R. 1787

Mr. SESSIONS. Mr. President, I understand there are three bills at the desk and due for a second reading. I ask unanimous consent that the clerk read the titles of the bills for a second time, en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will read the bills by title for the second time.

The legislative clerk read as follows:

A bill (S. 2852) to provide assistance to Special Olympics to support expansion of Special Olympics and development of education programs and a Healthy Athletes Program, and for other purposes.

A bill (H.R. 1084) to provide liability protection to nonprofit volunteer pilot organizations flying for public benefit and to the pilots and staff of such organizations.

A bill (H.R. 1787) to remove civil liability barriers that discourage the donation of fire equipment to volunteer fire companies.

Mr. SESSIONS. I would object to any further consideration, en bloc.

The PRESIDING OFFICER. The objection is heard. The bills will be placed on the calendar.

#### MEASURE READ THE FIRST TIME—S. 2866

Mr. SESSIONS. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 2866) to amend the Farm Security and Rural Investment Act of 2002 to clarify the authority of the Secretary of Agriculture and the Commodity Credit Corporation to enter into memorandums of understanding with a State regarding the collection of approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans.

Mr. SESSIONS. I now ask for its second reading and, in order to place the bill on the calendar under the provisions of rule XIV, object to further proceedings on this matter.

The PRESIDING OFFICER. The bill will be read for the second time on the next legislative day.

#### TAX TREATMENT OF BONDS AND OTHER OBLIGATIONS ISSUED BY THE GOVERNMENT OF AMERICAN SAMOA

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 655, H.R. 982.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 982) to clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa.

There being no objection, the Senate proceeded to consider the bill.

Mr. SESSIONS. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 982) was read the third time and passed.

#### REAUTHORIZATION OF THE CONGRESSIONAL AWARD ACT

Mr. SESSIONS. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 693, S. 2639, the Congressional Award Act Reauthorization bill.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2639) to reauthorize the Congressional Award Act.

There being no objection, the Senate proceeded to consider the bill.

Mr. SESSIONS. I ask unanimous consent the Craig amendment, which is at the desk, be agreed to, the bill as amended be read a third time and passed, the motion to reconsider be laid upon the table, and that any statement relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3784) was agreed to, as follows:

(Purpose: To clarify acceptance of Federal funds and resources)

After section 1, insert the following:

#### SEC. 2. FEDERAL FUNDS AND RESOURCES.

(a) TECHNICAL AMENDMENTS; CLARIFICATION OF ACCEPTANCE OF FEDERAL FUNDS AND RESOURCES.—Section 106 of the Congressional Award Act (2 U.S.C. 806) is amended—

(1) in subsection (a)(1), by striking "from sources other than the Federal Government";

(2) in the heading of subsection (e), by striking "NON-FEDERAL FUNDS AND RESOURCES; INDIRECT RESOURCES" and inserting "FUNDS AND RESOURCES";

(3) in subsection (e)—

(A) in paragraph (1), by striking "Subject to the provisions of paragraph (2), the" and inserting "The"; and

(B) by striking paragraph (2) and inserting the following:

"(2) The Board—

"(A) may benefit from in-kind and indirect resources provided by Offices of Members of Congress;

"(B) is not prohibited from receiving benefits from efforts or activities undertaken in